

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

MICHAEL P. O'NEIL and NICOLA GRASSO, )  
)  
)

Plaintiffs, )

Civil Action No. 1:19-cv-00612-WES-PAS

v. )

PETER F. NERONHA, in his Official )  
Capacity as Attorney General of Rhode )  
Island and COLONEL JAMES M. MANNI, )  
in his Official Capacity as the )  
Superintendent of the Rhode Island State )  
Police, )

Defendants. )  
)  
)

**DECLARATION OF MICHAEL A. BRAVE**

Michael A. Brave under penalty of perjury, deposes and states as follows:

1. My name is Michael A. Brave. I am making this declaration for submission to the United States District Court for the District of Rhode Island in the case of *Michael P. O'Neil and Nicola Grasso v. Peter F. Neronha, in his Official Capacity as Attorney General of Rhode Island and Colonel James M. Manni, in his Official Capacity as the Superintendent of the Rhode Island State Police*, Civil No. 1:19-cv-00612-WES-PAS.

2. I am a competent adult over the age of 18 and have personal knowledge of the following facts.

3. I am employed as Director, CEW [Conducted Electrical Weapon], Legal, for Axon Enterprise, Inc. ("Axon"), (formerly TASER International, Inc. ["TASER"]) headquartered in Scottsdale, Arizona. I have been employed by Axon/TASER since June 2005, and served as a paid Consultant prior to being employed.

4. I earned a Bachelor's Degree in Business Administration (1978) and a Master's Degree in Management Technology (1990) from the University of Wisconsin – Stout, in Menomonie, Wisconsin, and a Juris Doctor degree from Hamline University School of Law in St. Paul, Minnesota (1987).

5. I am a former Chief of the Intelligence and Investigative Operations Unit, Office of Enforcement Operations ("OEO"), Criminal Division, for the U.S. Department of Justice ("DOJ")

in Washington, D.C. (1997-2001); former Deputy Director for International Operations of the Federal Witness Security Program; and a former OEO Use-of-Force and Firearms Training Officer.

6. I have been a sworn law enforcement officer (Wisconsin) since 1980 and a certified law enforcement trainer in over 20 subject areas. I have been retained and in some cases testified as an expert witness in state and federal court civil rights cases involving use of force, including deadly and less-lethal force, batons, pepper spray, physical force, and CEWs, among other force tools, options, and tactics; sudden unexpected death; arrest-related death; positional asphyxia; and law enforcement policy, training and supervision. I have also testified regarding CEW-temporal events and subsequent deaths in Crown Coroners' Inquests in the United Kingdom and Canada.

7. I served as a certified TASER Master Instructor ("Master Instructor") authorized to train and certify other instructors in the proper use and deployment of TASER® brand weapons. I was first certified as a TASER Master Instructor in May 2003.

8. I served as Legal Advisor to TASER's Training Advisory Board from 2004 to July 2017. The Training Board, formed in May 2003, meets approximately quarterly to provide guidance on TASER's training program. The Training Board consists of active or retired law enforcement officers of various ranks from different parts of the United States and Canada, and several Axon employees.

9. I am intimately familiar with TASER's training program, certification requirements, training materials and protocols, the release of various training versions over the past two decades, and the numbers of law enforcement and civilian TASER CEWs which have been manufactured for sale in the United States of America. I have been designated as a TASER's Person Most Knowledgeable (PMK) concerning TASER CEWs, including training.

10. I have served as Legal Advisor to TASER's Scientific and Medical Advisory Board ("SMAB") from 2005 through the present. The SMAB was formed in May 2004 to ensure Axon/TASER stays current with the generally recognized and prevailing best scientific and medical knowledge regarding CEWs and their risks.

11. I have been requested to provide the most accurate current number available of TASER cartridge-deployable CEWs manufactured to be sold to civilians in the United States of America.

12. I requested, received, and reviewed manufacturing data maintained within Axon during its normal course of business for civilian TASER CEWs in the United States of America. These numbers do not include law enforcement sales. From 2003 to May 25, 2021, Axon, formerly TASER, manufactured approximately 286,780 TASER cartridge-deployable CEWs for the civilian market in the United States of America.

**FURTHER, DECLARANT SAYETH NAUGHT.**

I certify under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on June 1, 2021, in Mesa, Maricopa County, Arizona.

A handwritten signature in black ink, appearing to read 'M. Brave', with a long horizontal flourish extending to the right.

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Michael A. Brave, Director, CEW Legal  
Axon Enterprise, Inc.